

REMARKS

In the Office Action of May 8, 2003, the Examiner rejected claims 1, 3-11, and 13-31 under 35 U.S.C. § 103(a) as being unpatentable over *Williams et al.* (U.S. Patent No. 6,047,889; hereinafter *Williams*) in view of *Manduley et al.* (U.S. Patent No. 5,043,908; hereinafter *Manduley*). Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Williams* in view of *Johnson, Jr.* (U.S. Patent No. 5,262,597). Applicants respectfully traverse these rejections.

Applicants respectfully submit that independent claim 1 recites, for example, "creating a record for at least one object including the routing information, a weight, a sort rate, a sort accuracy, an idle time, a sort start and stop time, and the number of objects processed." Independent claim 16 recites, for example, "a recording device for creating a record for at least one object including the routing information, a weight, a sort rate, a sort accuracy, an idle time, a sort start and stop time, and the number of objects processed." Neither *Williams* nor *Manduley* disclose or suggest the above recitations of claims 1 and 16.

To support the rejection of claims 1, 3-11, and 13-31 under 35 U.S.C. § 103(a), the Examiner must prove a *prima facie* case of obviousness, which includes showing that the combination of prior art references teaches or suggests all claim limitations in the invention. See MPEP § 2143.03. Applicants respectfully traverse the Examiner's rejection because neither *Williams* nor *Manduley* teaches "creating a record for at least one object including ... a sort rate, a sort accuracy, an idle time, [or] a sort and stop time."

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Williams teaches a "package sorting and/or tracking system" with "a real-time communication link with [a] host computer system for transferring information scanned from the parcels." (*Williams*, Abstract.) *Manduley* teaches "[a] self-monitoring delivery system wherein mail is tracked as it passes through multiple delivery stages." (*Manduley*, Abstract.) In addition, in *Manduley* "[a] data center monitors the operations and provides management information to help enhance deliveries." (Id.) *Manduley* further teaches that "workloads, current and forecasted, at each stage along the route can be determined" and that "[t]his information is useful for managers of the delivery system." (Column 14, Lines 19-22.) *Manduley* also emphasizes the utility of "the possession of detailed information concerning the number and current and future locations of mail pieces in a centrally-maintained database" for efficient mail delivery. (Column 14, Lines 30-37.)

The Examiner asserted that *Manduley* "teaches a record 110 is created including an ID for the mail piece, its source and destination address, its weight and the routing information, etc. and uploading to the data base 430." (Office Action, p.4.) While this statement is correct, the conclusion drawn from it is not. While *Manduley* teaches the creation of a record "containing an ID for the mail piece, its source and destination address, and its weight as measured by the mailer" (Column 13, Lines 43-45), *Manduley* fails to teach or suggest the creation of a record including "sort rate, a sort accuracy, an idle time, [and] a sort start and stop time" as recited in claim 1. Accordingly, *Manduley* also fails to teach or suggest "a recording device for creating a record" of such information as recited in claim 16.

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Not only does *Manduley* fail to teach or suggest the recitations of claims 1 and 16, but the disclosed system also has no need for creating a record with such information. *Manduley's* purpose of "track[ing] a package] as it passes through multiple delivery stages" (*Manduley*, Abstract), is not advanced by statistical sorting information for items within a single stage in the delivery process. Such statistical information is of value to the local user of a sorting system and would not advance the efficiency of tracking objects through multiple delivery stages. Since the creation of a record with the recited information does not advance the purpose of *Manduley's* invention, a recording device, as recited in claim 16, for creating such a record is equally unnecessary. As such, no motivation exists to modify the system disclosed in *Manduley* to include the recited recording device.

Furthermore, since *Williams*, as the Examiner has indicated, does not teach or suggest the creation of, or a device for the creation of, a record as recited in claims 1 and 16, *Williams* cannot cure the deficiencies of *Manduley*. For at least these reasons, independent claims 1 and 16 are patentable over *Williams* in view of *Manduley*.

With respect claims 2-15, and 17-31, these dependent claims are allowable at least for the same reasons as independent claims 1 and 16 and by virtue of their dependency on independent claims 1 and 16.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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